

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
JUNE 17, 2020**

***Meeting held by teleconference.**

MEMBERS PRESENT: David Hillman (Chair); Mark Sammut, Mike Major, Doug Griswold, John Day, Anne Bentley, Allyson Myers.
(Robert “Zeke” Plante was absent.)

STAFF PRESENT: Britney Aube, DRB Coordinator; Dean Pierce, Planning Director; Lee Krohn, Town Manager; Jerry Ouimet, Fire Chief.

OTHERS PRESENT: Patricia and James Collins, Kevin Worden, Robert Bellezza, Denise Whittier, Frank Locker, Dave Marshall, Bob Bouchard.

AGENDA:

1. Call to Order and Agenda
2. Public Comment
3. Approval of Minutes (6/3/20)
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - Design Review, Sign, 20 Shelburne Shopping Park, RUFIT, LLC & Precourt Investment Co. (DR20-08)
 - Design Review, Manufactured Home, 194 Shelburnewood Drive, Seth Whittier (DR20-09)
 - Final Plan, Subdivision, Three Lots, 157 Maple Leaf Lane, B&R Developers (SUB19-10\FBZ19-02)
 - Variance, Pool and Patio, 95 Chesapeake Drive, Bellezza/O/Brien (V20-03)
 - Preliminary Plan, Re-Subdivision, 59 Webster Road, Collins (SUB90-07R2)
 - Applications by Rice Lumber Co./James Carroll/Pizzagalli Properties for 4188 and 4076 Shelburne Road:
 - SUB15-05R4 – Preliminary Plan, Re-Subdivision, Lots 4 & 5
 - SUB15-05R3 – Preliminary Plan, Re-Subdivision, Lot 6
 - SUB15-05R3\SP17-04R3 – Site Plan, Food Mart & Parking, Lot 6
 - SUB15-05R3\SP17-04R4 – Site Plan, Fire & Rescue Building, Lot 6
 - SUB15-05R3\SP20-01 – Site Plan Amendment, Shared Drive, Lot 6
6. Other Business
7. Adjournment

1. CALL TO ORDER and AGENDA

Chair David Hillman 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

June 3, 2020

MOTION by Mike Major, SECOND by Doug Griswold, to approve the minutes of 6/3/20 as presented. VOTING by roll call: 6 ayes, one abstention (John Day); motion carried.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

David Hillman disclosed the organization he works for and his division in the organization has a business relationship with Pizzagalli Properties, but this will not influence his ability to be impartial on decisions.

Mark Sammut said his employer has done work for Rice Lumber Co., but this will not influence his decision.

Mike Major said he will recuse himself from the B&R application at 157 Maple Leaf Lane (SUB19-10\FBZ19-02). Brit Aube noted the applicant requested a continuance.

Allyson Myers said Healthy Living is a customer of her employer, Champlain Chocolates, but this will not interfere with her judgment on the application.

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.

DR20-08: Design Review for a new façade sign and additional panel on the directory sign at 20 Shelburne Shopping Park in the Village Center Mixed Use District, Village Design Review and Village Core Overlay Districts by Shelburne Supermarket (RUFIT, LLC) & Precourt Investment Company

No one appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Property Owner Authorization from Precourt Investment Co.
- Property site map depicting locations of signage
- Aerial photo of shopping center property
- Photographs of existing signage
- Photographs of proposed signage
- Town of Shelburne Staff Report, dated 6/17/20

STAFF REPORT

The DRB received a written staff report on the application, dated 6/17/20. Brit Aube reported Shelburne Historic Preservation & Design Review Committee recommended approval.

APPLICANT COMMENTS

None.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Sign, 20 Shelburne Shopping Park, RUFIT, LLC & Precourt Investment Company (DR20-08)

MOTION by John Day, SECOND by Mike Major, to grant design review approval to RUFIT, LLC/Shelburne Market/Precourt Investment Co. for a replacement façade sign at 20 Shelburne Shopping Park and a replacement directory sign panel with the condition a sign permit shall be required prior to the installation of the new signage. VOTING by roll call: unanimous (7-0); motion carried.

DR20-09: Design Review for a new single-wide manufactured home (16'x 56') at 194 Shelburnewood Drive in the Village Center Mixed Use District and Village Design Review and Stormwater Overlay Districts by Seth Whittier

Denise Whittier, Frank Locker, and Seth Whittier appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Authorization from Shelburnewood Mobile Home Co-op
- Overall site map of Shelburnewood Mobile Home Park
- Site map depicting location of manufactured home on the lot
- Elevations and floor plans of manufactured home
- Photographs of similar homes and proposed entry porch overhang
- Town of Shelburne Staff Report, dated 6/17/20

STAFF REPORT

The DRB received a written staff report on the application, dated 6/17/20. Brit Aube noted Shelburne Historic Preservation & Design Review Committee asked for additional information on dimensions which the applicant submitted. Approval is recommended.

APPLICANT COMMENTS

None.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Manufactured Home, 194 Shelburnewood Drive, Whittier (DR20-09)

MOTION by John Day, SECOND by Doug Griswold, to grant design review approval for a new single-wide manufactured home at 194 Shelburnewood Drive by Seth Whittier/Shelburnewood Mobile home Co-op with the following conditions:

1. The size of the posts supporting the entry canopy will be 4'x 4'.
2. The applicant shall provide the dimensions and material of the corner boards.
3. A zoning permit shall be required prior to the delivery and installation of the new manufactured home.

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

SUB19-10\FBZ19-02: Final Plan for a three lot residential subdivision reviewed under Form Based Code at 157 Maple Leaf Lane in the Mixed Use District, Stormwater Impaired Watershed Overlay District, and Shelburne Road Form Based Overlay District by B&R Developers

Mike Major recused himself from the hearing. Staff noted the applicant requested a continuation of the hearing.

MOTION by John Day, SECOND by Anne Bentley, to continue the hearing of SUB19-10\FBZ19-02 for a three lot subdivision at 157 Maple Leaf Lane to July 1, 2020 as requested by the applicant. VOTING by roll call: unanimous (6-0); motion carried.

Mike Major returned to the DRB.

V20-03: Variance to allow a pool, pool shed, and stone patio outside of the building envelope at 95 Chesapeake Drive in the Residential District by Robert Bellezza & Kathleen O'Brien

Robert Bellezza appeared on behalf of the application.

Submittals:

- Variance Request Application, received 5/11/20
- General Application Form, received 5/11/20
- Site Plan prepared by Distinctive Landscaping
- Morrisey Subdivision Approval Documents
- Portion of recorded Plat "The Chesapeake Subdivision", Slide 180A
- PUD Overlay Map
- Town of Shelburne Staff Report, dated 6/3/20

STAFF REPORT

Brit Aube reported the request for legal counsel on the risks of locating the pool in the setback was denied by the Town Manager and Director of Planning because they felt the regulations were clear on the matter.

APPLICANT COMMENTS

Robert Bellezza affirmed their position on the variance criteria and that the hardship is the guidelines of the PUD and having 50' of the backyard unusable for a pool and patio that will not impact the viewshed. The average setback is 15'. The neighbors submitted letters of support. The pool and patio utilize the back yard appropriately, is safe environmentally, and keeps the value of the house intact. With COVID the family must stay home. The pool and patio create a more useful, family friendly environment for the children, and the minimum amount of space is being used (only 15' of the 50' setback is being used). There are examples around the neighborhood where people have taken liberties with the setback.

Brit Aube acknowledged the position of the applicant, but advised the job of the DRB is to adjudicate the rules in place, not set rules or opinions on the rules. Staff cannot support the variance. The DRB discussed the issue of hardship with COVID and the statutory definition in the variance criteria, and the argument that the variance rules are creating the hardship. Anne Bentley questioned how to address the variance in a fair way when there is existing noncompliance to the zoning in the neighborhood that is not being enforced. John Day pointed out the DRB is not being asked to postpone compliance, but rather is being asked to waive compliance. Planning Director, Dean Pierce, explained all five variance criteria must be met in order to grant a variance. One criterium pertains to economic use of the property which in this case the property owner has. The Planning Commission has discussed the PUD buffer and the proposed changes will not impact the applicant's proposal. The property owner was notified of the opportunity to address the Planning Commission on the matter and chose not to participate. There is the option to address the Selectboard to see if they are willing to warn another public hearing on the PUD requirements including the PUD buffer.

There was discussion of possibly redesigning the pool and patio to meet the zoning requirements or granting a waiver (DRB is not authorized to grant a waiver of the PUD setback). The property owner was not in favor of changing the design.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Variance, Pool & Patio outside Building Envelope, 95 Chesapeake Drive, Bellezza/O'Brien (V20-03)

MOTION by Mark Sammut, SECOND by Mark Sammut, to direct staff to prepare a decision to indicate denial of the variance application, V20-03, for a pool and patio outside the building envelope at 95 Chesapeake Drive by Bellezza/O'Brien.

VOTING by roll call: 5 ayes, two nays (Anne Bentley, Doug Griswold); motion carried.

SUB90-07R2: Preliminary Plan for a residential re-subdivision to create a 7th lot from the original parent parcel where six lots exist at 59 Webster Road in the Residential District and Stormwater Overlay District by James Collins

Kevin Worden with Engineering Ventures and James Collins appeared on behalf of the application.

Submittals:

- Sketch Plan Review Application Form, received 2/10/20
- Project Description prepared by Kevin Worden, Engineering Ventures
- Table of Dimensional Requirements prepared by Kevin Worden, Engineering Ventures
- Subdivision Location Map
- Preliminary Survey Plat entitled “Webster Road, LLC”, dated 12/23/19
- Overall Existing Conditions Plan, Sheet C1.1, dated 2/6/20
- “Existing Conditions & Demolition Plan, Sheet C1.2, dated 2/6/20
- Site Plan, Sheet C1.3, dated 2/6/20
- Town of Shelburne Staff Report, dated 6/17/20

STAFF REPORT

The DRB received a written staff report on the application, dated 6/17/20. Brit Aube said the accessway is a private drive, not a street, so sidewalk is not required. Stormwater information has been received, and a neighbor, Susie Baldwin, emailed comments in support of the application. A letter from the wastewater department was received on deficiencies in the system and infrastructure.

APPLICANT COMMENTS

Kevin Worden said grading details, letters from department heads, and comments on stormwater have been provided. A meeting was held with the Natural Resources Committee. The access is a private drive.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Preliminary Plan, Re-Subdivision, 59 Webster Road, Collins (SUB90-07R2)

MOTION by Doug Griswold, SECOND by Anne Bentley, to finalize the record, close the hearing, and direct staff to prepare a decision authorizing Engineering Ventures PC on behalf of Webster Road, LLC to prepare a Final Plan Review Application for SUB90-07R2 for a two lot subdivision with the following recommendations:

1. The applicant must submit resolution to any comments made by the town’s stormwater consultant.

2. The applicant must provide copies of any easement documents or other legal documentation pursuant to Shelburne Subdivision Regulations, Sections 610(11) and 610 (12).

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

Application by Rice Lumber Co./James Carroll/Pizzagalli Properties for 4188 and 4076 Shelburne Road:

SUB15-05R4: Preliminary Plan to re-subdivide multiple parcels within a previously approved PUD and site regrading to expand the plateau fronting Route 7 westerly into lots 4A and 5A at Tax Map#28-50-03.1 in the Mixed Use District and Stormwater Overlay District by James Carroll (Rice Lumber Co.)

SUB15-05R3: Preliminary Plan for two lot re-subdivision of Lot 6 within a previously approved PUD at Tax Map#28-50-03.1 in the Mixed Use District and Stormwater Overlay District by Pizzagalli Properties

SUB15-05R3\SP17-04R3: Site Plan for construction of a 18,057 s.f. food market and café building, 660 s.f. patio, 95 parking spaces, loading facilities, and supporting infrastructure on a portion of Lot 6 (Tax Map#28-50-03.1) in the Mixed Use District and Stormwater Overlay District by Pizzagalli Properties, LLC

SUB15-05R3\SP17-04R4: Site Plan for construction of a 19,800 s.f. fire and rescue facility, parking lot, training facilities and supporting infrastructure on a portion of Lot 6 (Tax Map#28-50-03.1) in the Mixed Use District and Stormwater Overlay District by Pizzagalli Properties, LLC

SUB15-05R3\SP20-01: Site Plan Amendment to the PUD for construction of a shared drive located along the common property line with Lot 6 of the Rice Lumber PUD at 4188 and 4076 Shelburne Road in the Mixed Use District and Stormwater Overlay District by Pizzagalli Properties, LLC

Dave Marshall with CEA, Bob Bouchard with Pizzagalli Properties, and Lee Krohn, Shelburne Town Manager appeared on behalf of the applications.

Submittals:

- SUB15-05R4
 - Preliminary Plan Application cover letter, received 5/15/20
 - Preliminary Plan Review Application, received 5/15/20
 - General Application information
 - Lot coverage calculation
 - Email from VTrans
 - Summary of planning standards
 - Project Review Sheet
 - PUD Compliance Narrative
 - List of abutters
 - Final Plat, Rice Lumber Redevelopment Project, Sheet FP-1, dated February 2020
 - Overall Site Location Plan, Sheet C1.0, dated May 2020

- Proposed Lot Layout, Sheet C1.1, dated May 2020
- Site Plan cover letter, received 5/15/20
- Site Plan Review Application, received 5/15/20
- General Application Form, received 5/15/20
- Adjoiner list
- Site Plan Review Summary
- Lot coverage calculation
- Email from VTrans
- Project Review Sheet
- Blasting Protocol Document
- Best Management for Blasting Activities Document
- Vermont ANR Blasting Flowchart
- Town of Shelburne Staff Report, dated 6/17/20
- SUB15-05R3
 - Cover letter prepared by CEA, dated 4/8/20
 - General Application Form, received 4/10/20
 - Preliminary Plan Review Application, received 4/10/20
 - Article VI Application Submission Requirements narrative
 - Town Plan, Growth Area 2 narrative
 - Section 1930 Planned Unit Development narrative
 - Summary of applicable planning standards narrative
 - Project Review Sheet issued 2/12/20
 - Sheet C1.0, Overall Site Plan and Location Map, dated April 2020
 - Sheet C1.1, Existing Condition Plan, dated April 2020
 - Slope Evaluation and Density Allocation Plan, dated March 2020
 - Preliminary Plat, Rice Redevelopment Project, dated 2/7/20
 - Abutter list
 - Town of Shelburne Staff Report, dated 6/17/20
- SUB15-05R3\SP17-04R3
 - Cover letter prepared by White and Burke Real Estate Investment Advisors, Inc., received 5/28/19
 - Property Owner Authorization Letter, received 5/28/19
 - General Application Form, received 5/28/19
 - Sketch Plan Review Application, received 5/28/19
 - Assessment of Potential Traffic Issues prepared by Lamoureux & Dickinson, received 5/28/19
 - Correspondence with State Historic Preservation and ANR on Act 250 Land Use Permit #4C0824-6 and removal of historic structures, received 5/28/19
 - Site Plans, received 5/28/19
 - Site Plan Review Application Form, received 4/10/20
 - Section 1900 Site Plan Review narrative
 - Public Works Specifications narrative
 - Setback narrative
 - Email from James Clancy, VTrans
 - Slope Range statistics
 - Assessment of Potential Traffic Issues prepared by Lamoureux & Dickinson

- Rice Lumber Building lot coverage and lot coverage calculations
- Letter from Watershed Consulting Associates, LLC
- Lighting Plan calculations prepared by Light Space Design
- Lighting cutsheets and specifications
- Parking calculation diagram
- Proposed Healthy Living sign
- Project Review Sheet, dated 2/20/20
- Overall Site Plan, Sheet C1.0, dated April 2020
- Existing Conditions Plan, Sheet 1.1, dated April 2020
- Proposed Conditions General Plan, Sheet 2.0, dated April 2020
- Healthy Living elevation sheet
- Landscaping Plan, Sheet LA-1.00 prepared by VHB
- Landscaping Plan, Sheet LA-1.10
- Landscaping cost estimate prepared by VHB
- Proposed Grading and Drainage Plan, Sheet C2.2, dated April 2020
- Proposed Lighting Plan, Sheet C2.4, dated April 2020
- Proposed Pavement Marking and Signage Plan, Sheet C2.5, dated April 2020
- EPSC Plan, Sheet C3.0, dated April 2020
- EPSC Narrative and Details, Sheet C3.1, dated April 2020
- Site Details, Sheet C4.0, dated April 2020
- Water Details, Sheet 4.1, dated April 2020
- Sewer Detail, Sheet C4.2, dated April 2020
- Stormwater Details, Sheet 4.3, dated April 2020
- Stormwater Chamber System Plan H-1, Sheet 4.4, dated April 2020
- Stormwater Chamber System Plan H-2, Sheet 4.5, dated April 2020
- Miscellaneous Details, Sheet C4.6, dated April 2020
- Site Specifications, Sheets C5.0, C5.1, C5.2, C5.3, C5.4, C5.5, dated April 2020
- Slope Evaluation and Density Calculation Plan, dated March 2012
- Town of Shelburne Staff Report, dated 6/17/20
- SUB15-05R3\SP17-04R4
 - Cover letter prepared by White and Burke Real Estate Investment Advisors, Inc., received 5/28/19
 - Property Owner Authorization Letter, received 5/28/19
 - General Application Form, received 5/28/19
 - Sketch Plan Review Application, received 5/28/19
 - Assessment of Potential Traffic Issues prepared by Lamoureux & Dickinson, received 5/28/19
 - Correspondence between State historic Preservation and ANR regarding Ac 250 Land Use Permit #4C0824-6 and removal of historic structures, received 5/28/19
 - Site Plans, received 5/28/19
 - Site Plan cover letter prepared by CEA
 - Site Plan Application Form
 - List of abutters
 - General Application Form
 - Site Plan Review Summary
 - Email from Jim Clancy, VTrans

- Assessment of Potential Traffic Impacts prepared by Lamoureux & Dickinson
- Building lot and lot coverage calculation
- Stormwater memo prepared by Watershed consulting Associates, LLC
- Landscaping narrative prepared by VHB
- Landscaping cost estimate prepared by VHB
- Lighting cutsheets and details
- Lighting calculations prepared by Light Space Design
- State Project Review Sheet
- Building elevations southwest perspective, north and west, south and east perspectives prepared by Dore & Whittier
- Overall Site Plan, Sheet C1.0, prepared by CEA
- Existing Conditions Plan, Sheet C1.1, prepared by CEA
- Proposed Conditions General Plan prepared by CEA
- Landscaping Plan, Sheet LA-1.00, prepared by VHB
- Landscaping Plan notes & details, Sheet LA-2.00, prepared by VHB
- Proposed Grading and Drainage Plan, Sheet C2.2, prepared by CEA
- Proposed Utility Plan, Sheet C2.3, prepared by CEA
- Proposed Lighting Plan, Sheet C2.4, prepared by CEA
- Proposed Pavement Marking and Signage Plan, Sheet C2.5, prepared by CEA
- EPSC Plan, Sheet C3.0, prepared by CEA
- EPSC Narrative and Details, Sheet C3.1, prepared by CEA
- Site Details, Sheet C4.0, prepared by CEA
- Water Details, Sheet C4.1, prepared by CEA
- Sewer Details, Sheet C4.2, prepared by CEA
- Stormwater Details, Sheet C4.3, prepared by CEA
- Stormwater Chamber FS-1, Sheet C4.4, prepared by CEA
- Stormwater Chamber FS-2, Sheet C4.5, prepared by CEA
- Miscellaneous Details, Sheet C4.6, prepared by CEA
- Site Specifications, Sheets C5.0, 5.1, 5.2, 5.3, 5.4, 5.5 prepared by CEA
- Preliminary Plat, Sheet FP-1, prepared by CEA
- Town of Shelburne Staff Report, dated 6/17/20
- SUB15-05R3\SP20-01
 - Site Plan Application, received 4/10/20
 - General Application, received 4/10/20
 - Abutter list
 - Public Works Road Specifications with waiver request
 - Site Plan Review Summary
 - Project Review Sheet
 - Overall Existing Conditions Plan, Sheet C1.0, dated February 2020
 - Existing Conditions Partial Plan, Sheet C1.1, dated February 2020
 - Proposed Conditions and Partial Plan, Sheet C1.2, dated February 2020
 - Shelburne Fire Station Landscaping Plan, Sheet LA-1.00
 - Proposed Pavement Marking and Signage Plan, Sheet C2.5, dated April 2020
 - Final Plat, Rice Lumber Redevelopment Project, dated February 2020
 - Town of Shelburne Staff Report, dated 6/17/20

STAFF REPORT

The DRB received written staff reports on the applications, dated 6/17/20. There was agreement to hear an overview of the projects and then discuss the points outlined in the memo from staff.

APPLICANT COMMENTS

Dave Marshall and Bob Bouchard gave an overview of the subdivision proposals for lots 4, 5, 6 on the Rice Lumber property and the Healthy Living project on the 2.57 acre, Lot 6 (18,057 s.f. single story market with 95 parking spaces and \$41,500 in landscaping) and the fire/rescue station on the 2.23 acre, Lot 6A (19,000 s.f. building with 44 parking spaces and \$35,000 in landscaping). Dave Marshall described the alignment of the access off Route 7 for Lot 6 and the rear access to Shelburne Commons. The road is private, but waivers are requested from the Public Works Specifications for some items.

Brit Aube reviewed items outlined in her memo:

- The subdivision must be acted on first before proceeding with the development proposals.
- Upgrades are needed for additional wastewater capacity before approval can be granted for projects.
- Conditional Use applications have not yet been submitted for the Healthy Living and fire station accessory uses. [Dave Marshall indicated he will submit the applications.]
- Stormwater comments need to be addressed. [Dave Marshall said the comments have been addressed and the project is up to date with the stormwater components.]
- The access needs to be defined as a ‘major street’ or a ‘private drive’. A major street requires a 60’ right-of-way. [Dave Marshall said per VTrans’ requirements there must be connectivity of the lots so easements on lots 4, 5, 6 have been identified. David Hillman said the Fire Dept. will likely consider the road an access road and not a driveway. There was discussion of planning for a major street and having the necessary right-of-way secured. Fire Chief Ouimet said the grade of the land for Lot 10 would not allow access by a firetruck. Bob Bouchard said the intent was to make accommodations should VTrans or the town say this access must be used. Dave Marshall will sketch various rights-of-way through the lots including the components within the right-of-way so it will be clear if a waiver is needed.]
- A fiscal impact analysis should be done if the cost of construction is greater than \$2 million. [Dave Marshall said the impacts to the town will be fairly minor because there are no public roads, no students added to the school system, no recreation issues, and water and sewer connection fees will be covered. A report on the tax revenue from the project cross-referenced with the budget of Fire/Rescue could be done. Mark Sammut said past experience with these types of developments is the financial impact is positive. An abbreviated fiscal impact analysis would be acceptable. Bob Bouchard said the estimated cost and estimated tax revenue from the projects being proposed can be done. Dave Marshall will work with Peter Frankenburg to confirm the numbers or work with the town

- assessor or see what the numbers are first to determine if third party review is needed. Lee Krohn questioned what the DRB will do with the information on fiscal impacts. David Hillman said the DRB wants to be transparent with the cost to the town. John Day added the regulations require that the information be collected. The town being an applicant in the project does create an odd situation. The information received will be a public record.]
- Waivers requested by the applicant:
 - Sidewalk – Dave Marshall said the sidewalk waiver is to avoid conflicts with pedestrians and vehicles so sidewalk on one side of the roadway only is requested. Sidewalk is shown on the plan.
 - Legal documents for Final Plan – Bob Bouchard suggested providing the legal documents before applying for a zoning permit. Dave Marshall suggested creating the legal documents after all the easements are settled. Brit Aube requested the applicant provide a schedule of what is anticipated to be submitted for legal documents.
 - Reduction of right-of-way requirement on shared access drive – Dave Marshall will provide information on opportunities and secondary impacts.
 - PUD – Dave Marshall said the lot coverage is cumulative and the development of the property will be managed.
 - Traffic study – Dave Marshall said VTrans received the traffic study information and agreed with the proposed lane uses. As the lots get developed the traffic information will be consolidated.
 - Alignment of the common drive – Dave Marshall said the preferred alignment has a jog around an existing transformer system. The traffic will be low velocity. The Public Works Specifications did not anticipate this circumstance.
 - Fire/Rescue Building – Dave Marshall said there is separation between the land uses on the two lots so the setback on both lots (Lot 6A and Lot 10) is not needed.
 - Three parking spaces in the 25' setback at the southwest corner of the fire station lot – Lee Krohn referenced 24VSA4413.A that allows for flexibility for the intended functional use. Also, many of the waivers being requested were approved by the DRB at Sketch Plan review. Fire Chief Ouimet confirmed 40 parking spaces will be adequate to address present and future needs at the fire station.
 - Pavement in the PUD buffer – The pavement on the fire station site goes to the bays and the training area. It was noted the town does not yet own the property, but anticipates doing so which means 24VSA4413 will apply.
 - Road alignment – Dave Marshall explained why the road has to be deviated.
 - Legal documents – The applicant will provide an overview of what is to be submitted.
 - Road name – All addresses in the PUD will have to be changed to “Healthy Way”.
 - Landscaping plans – Mixed Use landscaping requirements include 75% screening and a 30' buffer with plantings. Bob Bouchard said the outdoor seating café at Healthy Living is screened. The area to the south has edible

landscaping. There are ornamental grasses at the building entrance and trees around the site. Some plantings can be moved to screen the building even more. The parking lot is well screened. Dave Marshall pointed out the residential use that is requiring the screening is across a four lane highway and not adjacent to the building so there is question whether the 75% screening requirement is applicable. Mark Sammut suggested selecting plantings that will last for a long time and not just cramming in plantings. Brit Aube requested a schedule for non-planting items (i.e. fencing).

- Commercial uses on newly created lots need comment from Public Works – Dave Marshall agreed with having the checks and balances.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Applications by Rice Lumber Co./James Carroll/Pizzagalli Properties for 4188 and 4076 Shelburne Road (SUB15-05R4, SUB15-05R3, SUB15-05R3\SP17-04R3, SUB15-05R3\SP17-04R4, SUB15-05R3\SP20-01)

MOTION by John Day, SECOND by Mike Major, that the Rice Lumber matters heard by the DRB on 6/17/20 will continue to be heard as priority matters on July 15, 2020. VOTING by roll call: unanimous (7-0); motion carried.

6. OTHER BUSINESS/CORRESPONDENCE

Sketch Plan Extension Request: Kotorman (SUB19-03)

MOTION by Mark Sammut, SECOND by Doug Griswold, to approve a six month extension of the Kotorman Sketch Plan application, SUB19-03, per the request of the applicant. VOTING by roll call: unanimous (7-0); motion carried.

7. ADJOURNMENT and/or DELIBERATIVE SESSION

MOTION by John Day, SECOND by Doug Griswold, to adjourn the meeting. VOTING by roll call: unanimous (7-0); motion carried.

The meeting was adjourned at 10:54 PM.

RScty by tape: MERiordan