

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 19, 2019**

- MEMBERS PRESENT:** Jeff Pauza (Chair); Mark Sammut, Doug Griswold, John Day, Mike Major, Anne Bentley, Norm Blais. (David Hillman was absent.)
- STAFF PRESENT:** Ravi Venkataraman, DRB Administrator; Lee Krohn, Town Manager; Fire Chief Ouimet.
- OTHERS PRESENT:** Dave Marshall, Gail Albert, Ian Deshmukh, Brian Dunkiel, Joe Weith, Shawn Sweeney, Monique Denault, Zoe Sajor, Jonathan Harris, Matt Kimball, Amanda Herzberger, Michael Ashooh, Kathy Deavitt, Eli Goldsmith.

AGENDA:

1. Call to Order and Announcements
2. Public Comment
3. Approval of Minutes (6/5/19)
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - Design Review, Bus Shelter, 5059 Shelburne Road, Green Mountain Transit (DR18-21)
 - Design Review, Signage, 30 Shelburne Shopping Park, Precourt Investment Co., LLC/SB Signs, Inc. (DR19-06)
 - Design Review, Solar Panels, 26 Fisher Place, Deshmukh (DR19-07)
 - Sketch Plan, Subdivision, Two Lots, 1 Nashville Road, Mark and Laurie Kotorman (SUB19-03)
 - Sketch Plan, Re-Subdivision, Three Lot, 152-372 High Acres Farm Road, Harris/Herzberger (SUB19-07)
 - Sketch Plan, Subdivision, Nine Lots, 4190 Shelburne Road & 79-269 Shagbark Lane, Rice Lumber Co., LLC (SUB15-05R4)
 - Sketch Plan, Re-Subdivision, Three Lots, 4180-4188 Shelburne Road & 269 Shagbark Lane, Road to Hana, Inc./Healthy Living/Town of Shelburne (SUB15-05R3)
 - Pre-Application Conference, Re-Subdivision, Two Lots, 25 Deavitt Farm Road, Michael and Kathy Deavitt
6. Other Business
7. Adjournment

1. CALL TO ORDER and ANNOUNCEMENT

Chair Jeff Pauza called the meeting to order at 7 PM.

John Day mentioned the Kotormans requested their application be continued and suggested the DRB take action on the request before hearing the other applications.

2. PUBLIC COMMENTS

There were no comments from the public at this time.

3. MINUTES

June 5, 2019

MOTION by Mike Major, SECOND by John Day, to approve the 6/5/19 minutes as presented. VOTING: 4 ayes, 3 abstentions (Jeff Pauza, Anne Bentley, Norm Blais); motion carried.

4. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

- Mark Sammut announced he will recuse himself for the Rice Lumber and Road to Hana/Healthy Living/Town of Shelburne applications.
- Mike Major mentioned his association through Boy Scouts and the Fire Department with Shawn Sweeney, Rice Lumber, and the Deavitt family.

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.

SUB19-03: Sketch Plan review for a proposed two lot subdivision at 1 Nashville Road in the Residential District, Stormwater Overlay District, and Floodplain and Watercourse Overlay District by Laurie and Mark Kotorman

MOTION by Mark Sammut, SECOND by Doug Griswold, per the request of the applicant to continue the application for 1 Nashville Road (SUB19-03) until 8/21/19. VOTING: unanimous (7-0); motion carried.

DR18-21: Design Review for a bus shelter at 5059 Shelburne Road in the Village Center District, Village Core Overlay District, Village Design Review Overlay District, and Stormwater Overlay District by Green Mountain Transit

Shawn Sweeney and Matt Kimball appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Site plan
- Bus shelter elevation drawings by Selin and Selin Architecture, LLP
- Bus shelter floor plan by Selin and Selin Architecture, LLP
- Photographs of bus shelters at other locations in Shelburne Village
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman noted the bus shelter location has been approved and Shelburne Historic Preservation & Design Review Committee had no issues.

APPLICANT COMMENTS

Shawn Sweeney said the location makes sense for a shelter for the most used bus stop in Shelburne. The structure will be post and beam with a standing seam roof and concrete base. There will also be a bike rack. Matt Kimball added the bus shelter is already built and just needs to be installed. GMT received a permit from VTrans for placement in the state right-of-way. GMT will pay for the installation and maintenance of the shelter.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Bus Shelter, 5059 Shelburne Road, GMT (DR18-21)

MOTION by Mark Sammut, SECOND by Mike Major, to grant design review approval to Green Mountain Transit for a new 14'x 7' wood frame bus shelter at 5059/5061 Shelburne Road as submitted and with the condition a zoning permit shall be required prior to the commencement of construction. VOTING: unanimous (7-0); motion carried.

DR19-06: Design Review to modify existing signage at 30 Shelburne Shopping Park in the Village Center District, the Village Design Review Overlay District, the Village Core Overlay District, and the Stormwater Overlay District, by Precourt Investment Co., LLC./SB Signs, Inc.

Monique Denault appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Site plan depicting signage locations
- Photographs depicting existing and proposed signage
- Proposed signage specifications
- Temporary Outdoor Display Application
- Photograph of proposed temporary display sign
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman said the new “Walgreens” sign will replace the “Rite Aid” sign. Shelburne Historic Preservation & Design Review Committee had no comments. The applicant is also requesting a temporary sign (two weeks) for the new operation.

APPLICANT COMMENTS

Monique Denault said one of the existing signs will be removed and two of the existing signs will stay in the same location.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Signage, 30 Shelburne Shopping Park, Precourt Investment Co., LLC/SB Signs, Inc. (DR19-06)

MOTION by John Day, SECOND by Doug Griswold, to grant design review approval to Precourt Investment Co., LLC/SB Signs, Inc. for Walgreens signage at 30 Shelburne Shopping Park as submitted and with the following conditions:

1. Sign permits shall be required prior to the installation of the new signs.
2. The temporary display sign shall be displayed in the gable area for a maximum period of two (2) weeks.

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

DR19-07: Design Review for rooftop solar panels at 26 Fisher Place in the Village Residential District, the Village Design Review Overlay District, and the Stormwater Overlay District by Ian Deshmukh and Nancy Carder

Ian Deshmukh appeared on behalf of the application.

Submittals:

- Historic Preservation and Design Review Application
- Photographs of house depicting location of proposed solar panels
- Solar panel spec sheet
- Fisher Place Homeowners Association authorization letter
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman said Shelburne Historic Preservation & Design Review Committee had no concerns with the application.

APPLICANT COMMENTS

Ian Deshmukh explained the proposed solar panel installation on the roof of the house.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Design Review, Solar Panels, 26 Fisher Place, Deshmukh/Carder (DR19-07)

MOTION by Mike Major, SECOND by John Day, to grant design review approval to Ian Deshmukh and Nancy Carder for 10 rooftop solar panels at 26 Fisher Place as submitted and with the condition a zoning permit shall be required prior to the installation of the solar panels. VOTING: unanimous (7-0); motion carried.

SUB19-07: Sketch Plan for a proposed three lot re-subdivision at 152-372 High Acres Farm Road in the Rural District and Lakeshore Overlay District by Jonathan Harris and Jeff & Amanda Herzberger

Dave Marshall, CEA, Brian Dunkiel, attorney, Jonathan Harris, and Amanda Herzberger appeared on behalf of the application.

Submittals:

- Cover letter prepared by Civil Engineering Associates, Inc., received 5/21/19
- Letter regarding boundary line adjustments from High Acres Farm trustees, Jonathan Harris, Amanda Herzberger, Michael Darling, received 5/21/19
- Memorandum from Dunkiel Saunders Elliott Raubvogel & Hand, PLLC, re: Town of Shelburne Zoning Bylaws and Subdivision Regulations, received 5/21/19
- Sketch Plan Review Application, received 5/21/19
- General Application, received 5/21/19
- Maps and plans, received 5/21/19
- Correspondence from Shelburne Town Manager and Zoning Administrator, Lee Krohn, to staff re: the applicant's request, received 5/24/19
- Memorandum from the Shelburne Planning and Zoning Department Director, Dean Pierce, to the Planning Commission re: the applicant's request, received 5/28/19
- "The Vermont Approach" from the Vermont Natural Resources Council website, added to the record 6/13/19
- Town of Shelburne Staff Memorandum, dated 6/13/19
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a staff memorandum, dated 6/13/19, and a written staff report, dated 6/19/19. Ravi Venkataraman said the proposal is to create three unique lots by redistributing land within the existing area and is classified as a three lot re-subdivision. The proposal does not annex any land or create additional lots. The DRB needs to decide if the proposal is a major or minor subdivision.

APPLICANT COMMENTS

Brian Dunkiel stated the ordinance says creating one or more lots for residential or related development purpose. There are no new lots being created, only a boundary line adjustment. The application should be treated as a minor subdivision. There is no development proposed. The purpose of the boundary line adjustment is to even out parcel sizes and straighten the property line to avoid an existing barn. There are three existing parcels. Exhibit A is submitted for the record. Exhibit A shows existing condition of the three lots and the proposal for the three lots. Major aspects of the lot line adjustments include following the existing private road, avoiding the existing barn, and having two of the lots equal in acreage (36 acres each). The total amount of land being transferred is about 17 acres (9% of the acreage for the three parcels combined). The total acreage of the three lots is a significant amount of land in the Town of Shelburne. Exhibit B is a memo from Brian Dunkiel responding to some of the points in the staff comments.

Dave Marshall explained the purpose of the lot line adjustment from an engineering perspective is to make the lot lines more compliant. A property line going through a structure is a nonconformity. With the boundary line adjustment, a more compliant set of lines is achieved. There are no new houses proposed on the lots so there is no net impact

on the municipality or the neighbors. The proposal is the most practical approach with regard to the process before the DRB.

Several DRB members commented the proposal is not creating new lots and appears to be simply adjusting the boundaries, not subdividing lots.

Anne Bentley asked the motivation for changing the boundary lines other than to avoid the barn. Brian Dunkiel said there are three reasons:

- To have the three lots with more comparable total amounts of acreage
- To track the road line so the boundary/lot line is more straight
- To avoid the barn

Norm Blais asked if there is any impact on the grand list or any tax consequences. Brian Dunkiel said taxes are not the motivation for the proposal. Tax consequences have not been evaluated.

Mike Major noted the lot with the largest acreage will have all the dwellings, and asked why all the lots are not equally sized. Brian Dunkiel said each lot will have a primary residence for each member of the family. The original homestead will be on the largest lot. Jonathan Harris said High Acres Farm has been in the family for decades. The property was inherited by him and his sister in 2016. The old homestead was renovated and permits were secured for a new house on each of the other two lots so he and his sister could live on the land. The buildings are under construction. As stewards of the land he and his sister wanted to clean up eccentricities and the geometry to conform better to the natural boundaries.

Anne Bentley asked who owns the homestead. Jonathan Harris said a trust was set up with three trustees (Jonathan Harris, Amanda Herzberger, Michael Darling). Michael Darling, the third trustee, will be the technical occupant of the third house on the property.

Norm Blais asked for further explanation of the town's argument. Ravi Venkataram said the boundary line adjustment is a re-subdivision because the geometry of the lots is being modified to create two unique lots that never existing before. The applicant is creating three new lots that never existed before. Even though the lots are in the same geometric space, the geometry is unique. The regulations state no new lots shall be created so staff feels the proposal is subject to the PUD regulations and the applicant should conserve land under the PUD regulations.

Lee Krohn, Shelburne Town Manager and Zoning Administrator, said the fundamental concept of vested rights should be considered. There is a vested right to the three lots. The premise of the PUD states creating one or more new lots, but there are no new lots being created.

Jeff Pauza questioned why the DRB is getting conflicting information from the town and whether the opinion from the Planning Director needs to be passed by the Town Manager for approval.

John Day said the DRB's job is to assess the case based on the evidence presented. It is unclear a detailed examination of the legislative history is appropriate because there is clear and unambiguous language that was adopted. Any court will view the word "create" as clear and unambiguous. "Create" means to make something out of nothing, not make something that is already there and change-able. There is no evidence from the town to overturn the boundary line provision. The town had due notice to produce evidence and witnesses.

Doug Griswold noted the minutes from the Planning Commission discussion of Section 340 indicates the discussion was on residential lots in the rural district. Adjusting the boundaries between pre-existing lots from the 80's is not a subdivision.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Sketch Plan, Re-Subdivision, Three Lots, 152-372 High Acres Farm, Harris/Herzberger (SUB19-07)

A motion was made by Mark Sammut to finalize the record and close the hearing, but before the motion was seconded there was discussion of the process for the minor or major subdivision ruling.

MOTION by John Day, SECOND by Mark Sammut, to classify the application for 152-372 High Acres Farm as a Minor Subdivision for reasons previously articulated in the record. VOTING: unanimous (7-0); motion carried.

The DRB continued with review of the Sketch Plan application.

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman said the proposal for a three lot re-subdivision is due to issues with the lot lines. Overall 17.5 acres are being transferred. The DRB may want a landscape plan per Section 810.4 for shade trees on the drives and private ways. The DRB can waive this requirement.

APPLICANT COMMENTS

Brian Dunkiel said the applicant is not doing anything on the land so there should not be a condition for landscaping. The work on the houses is unrelated. The houses are fully permitted. The proposal before the DRB is an administrative adjustment.

Doug Griswold asked if landscaping is required with the permit for the houses. Jonathan Harris answered not to his knowledge.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Sketch Plan, Re-Subdivision, Three Lots, 152-372 High Acres Farm, Harris/Herzberger (SUB19-07)

MOTION by Norm Blais, SECOND by Anne Bentley, to finalize the record, close the hearing, and direct staff to prepare a decision authorizing Civil Engineering Associates, Inc. to prepare a Final Plan Review Application for SUB19-07 (three lot re-subdivision at 152-372 High Acres Farm). VOTING: unanimous (7-0); motion carried.

SUB15-05R4: Sketch Plan for a nine lot re-subdivision of parcels within the previously approved PUD at 4190 Shelburne Road and 79-269 Shagbark Lane in the Mixed Use District and Stormwater District by Rice Lumber Co., LLC

Mark Sammut recused himself. Dave Marshall, CEA, appeared on behalf of the application.

Submittals:

- Cover letter prepared by Civil Engineering Associates, Inc., received 5/28/19
- Sketch Plan Review Application, received 5/28/19
- General Application, received 5/28/19
- Rice Lumber PUD Lot Coverage Summary, received 5/28/19
- Site Plans
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman suggested the two applications be merged so the impacts and merits can be known.

Following discussion, the DRB concurred with hearing both applications and closing both concurrently then deliberating.

APPLICANT COMMENTS

Dave Marshall said the second application is for Lot 6 with a specific development proposal for the lot. The other application is to find a way to make lots 4 & 5 larger. Area from the residential lots is being transferred to the commercial lot in order to maximize the value of the property and create a buffer around the Rice Lumber building. Lots 4 & 5 will both be subdivided into two halves. The intent is to create marketable property (lots). Subdivision and development of Lot 6 can stand alone. It has always been a goal to have connectivity of the lots to the signalized intersection.

Doug Griswold asked about the proposed road for the five commercial lots. Dave Marshall said at this time there is no absolute plan. The concept is to provide inter-connectivity to the signalized intersection.

PUBLIC COMMENT

None.

SUB15-05R3: Sketch Plan for a proposed three lot re-subdivision of parcels within the previously approved PUD at 4180-4188 Shelburne Road and 269 Shagbark Lane in the Mixed Use District and Stormwater Overlay District by Road to Hana, Inc./Healthy Living/Town of Shelburne

Joe Weith appeared on behalf of the application and introduced members of the committee for the fire/rescue station site: Eli Goldsmith, Lee Krohn, Fire Chief Ouimet, and Mike Ashooh.

Submittals:

- 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 and Dickinson, received 5/28/19
- Correspondence between Laura V. Trieschmann, State Historic Preservation Officer, and Stephanie H. Monaghan, District #4 Coordinator, Agency of Natural Resources, re: Act 250 Land Use Permit #4C0824-6 and removal of historic structures, received 5/28/19
- Site Plans, received 5/28/19
- Town of Shelburne Staff Report, dated 6/19/19

STAFF REPORT

The DRB received a written staff report on the application, dated 6/19/19. Ravi Venkataraman explained the lot re-subdivision is for Lot 6 and Lot 10 and land transfer. A retail use is proposed on Lot 6. A fire station use is proposed on Lot 6A. The lots will be served by municipal water and sewer. Conditional Use and Site Plan review are needed for the fire station use. A landscaping plan and ped/bike facilities are recommended. The redistribution of lot coverage needs approval by the DRB. The town is the applicant so the DRB can request an independent technical review.

APPLICANT COMMENTS

Joe Weith referred to his memo to Ravi Venkataraman, dated 6.17.19, re: the DRB review process and spoke in support of keeping the applications separate and issuing separate decisions. Mr. Weith said the proposal is to adjust the west property line by 18' to the west and subdivide the lot into two parcels. The front parcel of 2.57 acres fronts Shelburne Road and will be for the Healthy Living store. The back parcel of 2.4 acres will be for the fire/rescue station. Access is a shared drive. A slightly different location

of the shared access drive is proposed for consideration (the drive will come off Shelburne Road and straddle the property line between Lot 6 and Shelburne Commons). This configuration functions more efficiently and intersects with the drive to Shelburne Commons at a 90-degree angle and adds another connection in the back to Shelburne Commons for another way to access Shelburne Road. Moving the road to the north provides more flexibility to develop the plan. The shared access drive and drive for the fire/rescue station are in the 50' PUD perimeter setback.

On the Healthy Living lot an 18,500 s.f. one story retail building is proposed for a store and café. There will be green space and landscaping in the perimeter buffer. Parking will be on the side of the building. The parking will be accessed by the shared road. A waiver is requested to exceed the maximum lot coverage of 50%. Lot coverage with the proposal is 59%. A lot coverage summary for the PUD was submitted that shows total lot coverage at 30% which is well below the percentage maximum allowed in the zoning district.

On the fire/rescue station lot a 24,000 s.f. building is proposed with two stories in front to house the administration and rooms and the garage in the rear with two bays. The building was situated for easy ingress/egress for the emergency vehicles. Forty parking spaces are shown. There will need to be some blasting of the existing ledge for the development. Waivers are needed for the side and rear yard 25' setbacks. The proposal is showing a 20' side setback and 18' rear yard setback. Sidewalk and landscaping will be shown in future plans.

Dave Marshall said more information on pedestrian access will be provided as more development proposals come forward.

Anne Bentley asked about the blasting. Ravi Venkataraman said the applicant is asked to notify the town of any blasting so residents can be notified.

There was discussion of the distribution of lot coverage and adjusting the conserved land. Dave Marshall pointed out the zoning district does not require open space, but the property has a long history of natural resources that have been identified and preserved. Act 250 review outlined the areas of conservation. The building envelopes protect the conserved area.

Lee Krohn said it is important to know the decision on the location of the access road, lot coverage, building size, and parking layout so the town can move forward. The town is not going to short circuit itself on the review of the plan so there is no need to pay others for an independent technical review.

PUBLIC COMMENT

Gail Albert, Shelburne Natural Resources Committee, asked if the conservation area will remain intact. Dave Marshall said there is no change to the area.

DELIBERATION/DECISION

Sketch Plan, Re-Subdivision, 9 Lots, 4190 Shelburne Road and 79-269 Shagbark Lane, Rice Lumber Co., LLC (SUB15-05R4)

MOTION by John Day, SECOND by Doug Griswold, to classify the application, SUB15-05R4, as a Major Subdivision and to finalize the record, close the hearing, and direct staff to prepare a decision authorizing Civil Engineering Associates, Inc. on behalf of Rice Lumber Co., LLC to prepare a Preliminary Plan Application for SUB15-05R4 with the condition pursuant to the Shelburne Subdivision Regulations, Section 600(28), that the applicant must obtain comments from the town departments enumerated in the ordinance and include the comments in the Preliminary Plan Review Application. VOTING: unanimous (6-0); motion carried.

Sketch Plan, Re-Subdivision, Three Lots, 4180-4188 Shelburne Road and 269 Shagbark Lane, Road to Hana, Inc./Healthy Living/Town of Shelburne (SUB15-05R3)

MOTION by Doug Griswold, SECOND by Mike Major, to classify the application, SUB15-05R3, as a Major Subdivision and to finalize the record, close the hearing, and direct staff to prepare a decision authorizing White and Burke Real Estate Investment Advisors, Inc. and Civil Engineering Associates, Inc. on behalf of Road to Hana, Inc., Healthy Living Market and Café, and Town of Shelburne to prepare a Preliminary Plan Application for SUB15-05R3 with the following conditions:

- 1. Pursuant to Shelburne Zoning Bylaws, Section 1020.35, Conditional Use Review and Site Plan Review applications must be provided with the Preliminary Plan Review Application.**
- 2. Pursuant to Shelburne Zoning Bylaws, Section 1930.7.B.4, and Shelburne Subdivision Regulations, Section 810(4), a landscaping plan must be included with the Preliminary Plan Review Application, and the landscaping plan must depict any proposed landscaping in the parking area and along the roadways.**
- 3. Pursuant to Shelburne Zoning Bylaws, Section 1930.7.B.7, the applicant must provide elevations for the proposed buildings on proposed lots 6 and 6A with the Preliminary Plan Review Application.**
- 4. Pursuant to Shelburne Subdivision Regulation, Section 800(4), the applicant must provide a storm water management plan with the Preliminary Plan Review Application.**
- 5. Pursuant to Shelburne Subdivision Regulations, Section 960, if the applicant is proposing outdoor lighting a photometric plan must be included with the Preliminary Plan Review Application.**

VOTING: unanimous (6-0); motion carried.

Mark Sammut returned to the DRB.

Pre-Application Conference for a two lot subdivision at 25 Deavitt Farm Road in the Rural District and Stormwater Overlay District by Michael and Kathy Deavitt

Kathy Deavitt appeared on behalf of the pre-application conference and explained the proposal to subdivide five acres off the norther portion of a 12.4-acre parcel for their daughter. There is an existing 30' right of way in place. Access to the new lot would be from Northern Heights Road. Only enough trees will be cleared for a house and garage.

Utilities will be buried and follow the existing driveway. The proposal is a major subdivision under the PUD regulations.

Doug Griswold asked about limiting the tree cutting. Ravi Venkataraman said the DRB can request no cut zones in the PUD. Dave Marshall said there is a plateau area on the parcel, but the property does drop off in back. The back portion of the lot is part of a larger forested complex which the applicant will try not to fragment. The septic system for the proposed house could be off the open field to avoid cutting more trees. Mike Major mentioned planting trees after construction is complete. Dave Marshall noted the area could be allowed to naturally reforest.

Jeff Pauza advised ensuring the right-of-way is available for access to the proposed house on the proposed five acre lot. Also, structures are not allowed in the 50' PUD perimeter buffer, not even a fence.

Gail Albert, Shelburne Natural Resources Committee, urged presenting the proposal to the Shelburne Natural Resources Committee.

6. OTHER BUSINESS/CORRESPONDENCE

None.

7. ADJOURNMENT and/or DELIBERATIVE SESSION

MOTION by John Day, SECOND by Mike Major, to adjourn the meeting.

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

The meeting was adjourned at 9:09 PM.

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