

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
January 16, 2019**

MEMBERS PRESENT: Jeff Pauza (Chair); Mark Sammut, John Day, Lauren Giannullo, Norm Blais, Doug Griswold. (David Hillman was absent.)

STAFF PRESENT: Ravi Venkataraman, DRB Administrator; John Goodrich, Deputy Fire Chief.

OTHERS PRESENT: Edward McMahan, Andrew Rowe, Chris Snyder, Anne Powell, Ed Kiniry, Betsy Rich Whalley, Brian Precourt, David Diaz.

AGENDA:

1. Call to Order and Announcements
2. Approval of Minutes (12/19/18, 1/2/19, 1/5/19)
3. Disclosures/Potential Conflicts of Interest
4. Public Comment
5. Applications
 - Conditional Use\Site Plan\Design Review, Expand Church, 92 Church Street, St. Catherine of Siena Parish (CU17-04R1\SP17-02R1\DR18-19)
 - Sketch Plan, Residential PUD, 9 lots, 1348 Irish Hill Road, Elizabeth Whalley (SUB18-03)
 - Final Plan, Residential PUD, 91 Units, 5760 Spear Street, The Snyder Group (SUB16-02)
 - Boundary Line Adjustment, 7041 and 7043 Spear Street, Irish (BLA19-01)
 - Sketch Plan, Subdivision, Two Lots, 120 Graham Way and Sage Court, Shelburne Green, LLC (SUB13-02R4)
 - Amendment, Approval Condition, Subdivision, 4947 Spear Street, Bob Clark (SUB00-7R2)
6. Other Business
7. Adjournment

1. CALL TO ORDER and ANNOUNCEMENTS

Chair Jeff Pauza called the meeting to order at 7 PM and welcomed new DRB member, Doug Griswold.

ANNOUNCEMENTS

- Mark Sammut disclosed work done by his employer for St. Catherine of Siena Parish.
- John Day announced he will recuse himself for the Whalley application and the Shelburne Green application.
- Jeff Pauza announced he will recuse himself for the Shelburne Green application.
- It was announced that Jeff Hodgson resigned from the DRB.

2. APPROVAL OF MINUTES

December 19, 2018

MOTION by John Day, SECOND by Jeff Pauza, to approve the minutes of 12/19/18 as written. VOTING: unanimous (6-0); motion carried.

January 2, 2019

MOTION by John Day, SECOND by Jeff Pauza, to approve the minutes of 1/2/19 as written. VOTING: unanimous (6-0); motion carried.

January 5, 2019

MOTION by Mark Sammut, SECOND by Jeff Pauza, to approve the minutes of 1/5/19 as written. VOTING: 4 ayes, 2 abstentions (John Day, Doug Griswold); motion carried.

3. DISCLOSURES/POTENTIAL CONFLICTS OF INTEREST

- Mark Sammut disclosed work done by his employer for St. Catherine of Siena Parish. The DRB felt there is no conflict of interest with Mr. Sammut hearing the application by St. Catherine of Siena.
- John Day announced his recusal from the Whalley application (SUB18-03) and the Shelburne Green application (SUB13-02R4).
- Jeff Pauza announced his recusal from the Shelburne Green application (SUB13-02R4).

4. PUBLIC COMMENTS

There were no comments from the public at this time.

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.

CU17-04R1\SP17-02R1\DR18-19: Conditional Use\Site Plan\Design Review to expand an existing church at 92 Church Street in the Village Center District, Village Core Overlay District, Village Design Review District, and Stormwater Overlay District by St. Catherine of Siena Parish

Brian Precourt appeared on behalf of the application.

Submittals:

- General Application Form, received 12/20/18
- Conditional Use Review Application, received 12/20/18
- Site Plan Review Application, received 12/20/18
- Site Plans, received 12/20/18
- Town of Shelburne Staff Report, dated 1/16/19

STAFF REPORT

The DRB received a written staff report on the application, dated 1/16/19. Ravi Venkataraman said the plan is to demolish the existing parish hall and build a 4,250 s.f. addition to the existing church structure to serve as the new parish hall. The work is considered a rebuild with no change in use or dimensions.

APPLICANT COMMENTS

Brian Precourt stated the size of the parish hall addition was decreased from the original proposal. The addition will include two accessible and two regular bathrooms, and an enlarged sacristy and hallway to the parish hall.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Expand Church, 92 Church Street, St. Catherine of Siena Parish (CU17-04R1\SP17-02R1\DR18-19)

Ravi Venkataraman noted there was a technicality in warning the application for the meeting so the application should be continued.

MOTION by John Day, SECOND by Jeff Pauza, to continue the St. Catherine of Siena Parish for 92 Church Street until 2/6/19. VOTING: unanimous (6-0); motion carried.

SUB18-03: Sketch Plan for a nine lot Residential Planned Unit Development at 1348 Irish Hill Road in the Rural District and Stormwater Overlay District by Elizabeth Whalley

Elizabeth Whalley appeared on behalf of the application. John Day recused himself.

STAFF REPORT

The DRB received a staff memo on the application, dated 1/10/19. Ravi Venkataraman said the applicant has not submitted a revised site plan or any new materials. The DRB did a site visit to the property on 1/5/19. The location of Lot 9 is a concern to the Shelburne Natural Resources Committee and conflicts with the zoning bylaws, Sections 1930.2.F and 1930.3.C. The DRB may want to discuss with the applicant the building envelopes, house sites, internal lot lines/setbacks, no cut zones, and preserving natural features on the site.

APPLICANT COMMENTS

The applicant had no comment.

PUBLIC COMMENT

David Diaz, neighbor, reiterated concern about houses being built on the ridge and the need for blasting and removal of forest trees making the houses visible from the road and surrounding residences. Also, a wide road will be needed to accommodate fire trucks. Habitat will be destroyed. Other construction has been done on Spear Street that

maintains the rural character of the area. The same could be done on the Whalley 90 acre parcel which as proposed will look like a suburban subdivision and not a rural development. Mr. Diaz suggested curtailing the overall scope of the proposal and removing three houses on the ridge. The model of the properties to the west should be followed.

Elizabeth Whalley disagreed with Mr. Diaz's statement on the houses being visible and urged the DRB to drive by and take a look.

DELIBERATION/DECISION

Sketch Plan, Residential PUD, 9 Lots, 1348 Irish Hill Road, Whalley (SUB18-03)

MOTION by Mark Sammut, SECOND by Doug Griswold, to finalize the record and close the hearing for SUB18-03, application by Elizabeth Whalley for 1348 Irish Hill Road. VOTING: unanimous (5-0); motion carried.

The DRB will deliberate the application at a future time. John Day returned to the DRB.

SUB16-02: Final Plan for a 91 unit Residential Planned Unit Development at 5760 Spear Street in the Residential District, Stormwater Overlay District, Floodplain and Watercourse Overlay District by The Snyder Group, Inc.

Andy Rowe, Lamoureux & Dickinson, and Chris Snyder, The Snyder Group, appeared on behalf of the application.

STAFF REPORT

The DRB received a staff memo on the application, dated 1/15/19. Ravi Venkataraman noted additional information on the application includes more staff comments, comments from Regional Planning on the traffic study, memo from the Water Quality Superintendent, dated 1/15/19, and a memo from Roger Dickinson, Lamoureux & Dickinson, regarding the traffic impact analysis. There will be gravel access roads to the manholes, sewer lines, submersible pump type station, town owned pump station, and storm retention ponds. The DRB may want to discuss with the applicant the roadway width, comments from the Water Quality Superintendent, and the traffic study comments.

John Day recalled discussion about road width of 28' for a public street or 26' for a private street. Norm Blais expressed objection to a governmental agency saying one thing and then changing. The applicant relied on Selectboard direction to determine road width. Mark Sammut spoke in support of directing road width to be 28'.

APPLICANT COMMENTS

Chris Snyder said they have worked with the Water Quality Superintendent, the Water Department, and received comments from Regional Planning.

Andy Rowe noted the gravel access roads will have a topsoil surface to appear as green space.

PUBLIC COMMENT

John Goodrich, Deputy Fire Chief, mentioned there are seven streetlights at seven intersections in the proposed development and past discussion concerned Street D being 28' wide if the street is public or 26' wide if the street is private. Parking should only be on one side of the street.

Greg Shover, 53 Webster Lane, spoke about storm water from the golf course impacting his house and the neighborhood. The proposed development will likely make the drainage situation worse. John Day pointed out the drainage issue that exists today will remain if the proposed development is not built. The town cannot make a developer fix a problem that the developer did not create. Andy Rowe stated the golf course has a pond on the 5th hole and presently the water spills out through Boulder Hill and eventually through to the properties on Webster Lane. The Snyder proposal includes oversized ponds. The storm water management being proposed will improve the condition over what is there today. There is additional storage capacity in the pond so during rain events the flow of water will be controlled. Greg Shover urged looking downstream for the impact on houses.

DELIBERATION/DECISION

Final Plan, Residential PUD, 91 Units, 5760 Spear Street, The Snyder Group (SUB16-02)

MOTION by John Day, SECOND by Jeff Pauza, to continue review of The Snyder Group application, SUB16-02, for a 91 unit Residential PUD at 5760 Spear Street until after the last application on the agenda. VOTING: unanimous (6-0); motion carried.

MOTION by Mark Sammut, SECOND by John Day, to recess the meeting until 8:20 PM to allow the last applicant to arrive. VOTING: unanimous (6-0); motion carried.

The applicant for the last application on the agenda was delayed and the recess was ended.

MOTION by Mark Sammut, SECOND by Norm Blais, to continue SUB16-02 by The Snyder Group for property at 5760 Spear Street until 2/6/19. VOTING: unanimous (6-0); motion carried.

BLA19-01: Boundary Line Adjustment between 7041 and 7043 Spear Street by Lloyd Irish

MOTION by Mark Sammut, SECOND by John Day, to continue BLA19-01 by Lloyd Irish for property at 7041 and 7043 Spear Street until 2/6/19. VOTING: unanimous (6-0); motion carried.

SUB13-02R4: Sketch Plan, Subdivision, Two Lots, 120 Graham Way and Sage Court, Shelburne Green, LLC

John Day and Jeff Pauza recused themselves. Mark Sammut facilitated the meeting.

MOTION by Mark Sammut, SECOND by Lauren Giannullo, to postpone review of the Shelburne Green application for 120 Graham Way and Sage Court until 2/6/19. VOTING: unanimous (4-0); motion carried.

Jeff Pauza and John Day returned to the DRB.

SUB00-7R2: Amendment, Approval Condition, 4947 Spear Street, Bob Clark
MOTION by Jeff Pauza, SECOND by John Day, to continue SUB00-7R2 by Bob Clark for property at 4947 Spear Street until 2/6/19. VOTING: unanimous (6-0); motion carried.

6. OTHER BUSINESS/CORRESPONDENCE

None.

7. ADJOURNMENT and/or DELIBERATIVE SESSION

MOTION by John Day, SECOND by Mark Sammut, to adjourn the meeting and convene deliberative session. VOTING: unanimous (6-0); motion carried.

The meeting was adjourned at 8:15 PM.

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