

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
May 19, 2021**

***Meeting held by teleconference.**

MEMBERS PRESENT: John Day, David Hillman, Mike Major, Anne Bentley, Allyson Myers, Zeke Plant. (Mark Sammut was absent.)
STAFF PRESENT: Dan Albrecht, Acting DRB Coordinator.
OTHERS PRESENT: Scott Homsted, Joyce George, Brian Precourt, Jack Milbank, Anne and David Elston.

AGENDA:

1. Call to Order and Agenda
2. Approval of Minutes (5/5/21)
3. Public Comment
4. Disclosures/Potential Conflicts of Interest
5. Applications
 - PUD Final Plan Amendment, Boundary Line Adjustment, 369 & 139 Monarch Road, Costello Family Trust/Rittenberg (SUB03-04R10)
 - Final Plan, PUD, Two Lot Subdivision, 161 Dorset Hill Lane, Anne & David Elston (SUB20-03)
 - Preliminary Plan\Conditional Use, Mixed Use PUD\Commercial Use, 3871 Shelburne Road, Precourt (SUB10-03R1\CU21-04)
6. Other Business
7. Adjournment

1. CALL TO ORDER and AGENDA

In the absence of Chair, Mark Sammut, Anne Bentley called the teleconference meeting to order at 7 PM.

2. MINUTES

May 5, 2021

MOTION by John Day, SECOND by Mike Major, to approve the 5/5/21 minutes as drafted. VOTING by rollcall: unanimous (6-0); 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.

SUB03-04R10: Amendment to PRD Final Plan for a boundary line adjustment of .28 acres from 369 Monarch Road to 139 Monarch Road in the Rural District by Costello Family Trust and Gerald & Linda Rittenberg

Scott Homsted with Krebs & Lansing Consulting Engineers appeared on behalf of the application.

STAFF REPORTS

The DRB received a written staff report on the application, dated 5/19/21. Dan Albrecht stated the minor boundary line adjustment is between two parcels off Pond Road. The owners of each parcel have been actively using the lots as if the transfer was already in place. No new lots or nonconformities will be formed with the 1200 s.f. transfer of land.

APPLICANT COMMENTS

In response to a question on whether a new land survey was done, Scott Homsted said his firm did the original survey, but there have been some modifications over the years so the pins will be reset.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Amendment, PUD Final Plan, Boundary Line Adjustment, 369 & 139 Monarch Road, Costello Family Trust/Rittenberg (SUB03-04R10)

MOTION by John Day, SECOND by Mike Major, to finalize the record, close the hearing, and approve the proposed written decision for SUB03-04R10 for a boundary line adjustment of .28 acres from 369 Monarch Road to 139 Monarch Road in the Rural District by Costello Family Trust and Gerald & Linda Rittenberg with the condition a mylar of the plat must be filed within 180 days of the signed approval pursuant to Shelburne Subdivision Regulations, Section 1030. VOTING by rollcall: unanimous (6-0); motion carried.

SUB20-03: Final Plan for a two lot PUD subdivision at 161 Dorset Hill Lane in the Rural District and Stormwater Overlay District by Anne & David Elston

Jack Milbank with Civil Engineering Associates and Anne and David Elston appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 5/19/21. Dan Albrecht said this is Final Plan review. There have been no changes from the Preliminary Plan.

APPLICANT COMMENTS

Jack Milbank said the simple two lot subdivision is being done as a PUD in the Rural District. The applicant accepts all conditions of approval as stated.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Final Plan, PUD, Two Lot Subdivision, 161 Dorset Hill Lane, Elston (SUB20-03)

MOTION by Mike Major, SECOND by John Day, to finalize the record, close the hearing, and direct staff to prepare a decision indicating approval of SUB20-03 by Anne & David Elston for a two lot PUD subdivision at 161 Dorset Hill Lane with the following conditions:

1. The project shall be constructed in conformance with the approved plans.
2. No topsoil, sand or gravel shall be removed from the subdivision for any other purpose than to meet construction needs of the particular subdivision or to meet the requirements of the Shelburne zoning bylaws.
3. The applicant shall regularly maintain the simple disconnection areas.

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

SUB10-03R1\CU21-04: Preliminary Plan\Conditional Use to amend a Mixed Use PUD and add a new commercial use in the 3,400 s.f. addition at 3871 Shelburne Road in the Mixed Use District and Floodplain and Stormwater Overlay Districts by Precourt Investment Co., LLC

Brian Precourt appeared on behalf of the application.

STAFF REPORT

The DRB received a written staff report on the application, dated 5/19/21. Dan Albrecht reported the applicant submitted the required documentation and addressed any issues. Comments on stormwater can be addressed at Final Plan review.

APPLICANT COMMENT

Brian Precourt stated the handicap parking space has been marked and a bike rack has been added per the regulations. An erosion control plan has been submitted. There will be plenty of parking on the site because many of the commercial vehicles will go home with workers or be parked in the garages. Regarding landscaping, Shelburne Natural Resources Committee did not feel the four cedar trees in the plan are necessary, but there is not a problem to keep them in the plan. Regarding stormwater management, the site has been designed to meet the criteria in the town's manual. The project is under the limit of disturbance requiring a state permit.

Mike Major asked if the business office will be located on the site. Brian Precourt said not at this time.

PUBLIC COMMENT

None.

DELIBERATION/DECISION

Preliminary Plan\Conditional Use, Mixed Use PUD\Commercial Use, 3871 Shelburne Road, Precourt (SUB10-03R1\CU21-04)

MOTION by John Day, SECOND by Mike Major, to finalize the record, close the hearing, and direct staff to prepare a decision indicating Preliminary Plan approval

of SUB10-03R1 for construction of a 3,400 s.f. addition for a new commercial use of construction support services at 3871 Shelburne Road by Precourt Investment Co., and further, to finalize the record, close the hearing, and approve the Conditional Use application, CU21-04, for construction support services with the condition that the proposed use may not commence on the property until after the applicant has demonstrated full compliance with any Findings of Fact and Notice of Decision regarding the Final Plan approval of the proposed addition in SUB10-03R1 and after a zoning permit has been issued for the proposed addition. **VOTING by rollcall: unanimous (6-0); motion carried.**

6. OTHER BUSINESS/CORRESPONDENCE

Temporary Assistance in Planning & Zoning Department

Ken Beliveau was introduced. Mr. Beliveau will be assisting in the Planning & Zoning Department.

7. ADJOURNMENT

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

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

The meeting was adjourned at 7:35 PM.

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